

Submitted by Nick Frey, President, Sonoma County Winegrape Commission on November 28, 2012

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There is a statement in the document that 131,000 acres of vineyard are in the two watersheds. Where did you get that number? The total grape acreage in the two counties is 105,000, but only 50-60,000 acres of vineyard are in the Napa River and Sonoma Creek watersheds. If this number was used to calculate potential sediment delivery, it grossly overstates vineyard impacts.

I continue to be very concerned about the cost of the program for growers. The required repairs to roads hydrologically connected to streams, to unstable soils and gullies, and to unstable stream banks could require significant grower expense for engineers, for permits and for repair work. Who else in the watershed other than agriculture are required to make these investments and are they in proportion to the contribution that each source of sediment makes? There are over 115,000 acres in the Sonoma Valley AVA and less than 15,000 acres of grapes, some of which are in the Russian River watershed. Are vineyard owners who farm 13% of the land area being expected to bear a greater percentage of cost to address the sedimentation problem in the watershed? For example, what will county roads, rural residences and municipalities be doing to reduce sedimentation? Will regional parks be managed to stabilize unstable soils and repair gullies? Agriculture is unable to pass along the increased costs by increasing the price for grapes, which is quite different from what other businesses do in order to recover increased regulatory costs. I am concerned that vineyard owners are bearing an unreasonable burden with these regulations.

For lands not eligible for the waiver, will an EIR be required or might it be possible to have a negative declaration to meet the discharge requirements? This requirement supersedes requirements under the County Vineyard Erosion Control Ordinance, where engineered erosion control plans are required on slopes over 30%, and over 10 years' experience under the ordinance has demonstrated effective erosion controls are being implemented. The county limits were agreed upon by growers and the environmental community as reasonable. Sonoma County and Napa County have different requirements for vineyards and the differences should be respected in these regulations.

I did participate in the public process as you indicated in the draft, however I did not feel the expertise and experience of growers and other agricultural representatives had much influence on the final outcome. The scope of this regulation will burden farmers and your Regional Board staff in a time when both are under financial pressure. I appreciate the opportunity to comment on behalf of grape growers in the Sonoma Valley watershed.